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EXAMINER

BENGZON, GREG C

ART UNIT PAPER NUMBER

2144

DATE MAILED: 05/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,129

Applicant(s)

DUQUESNOIS, LAURENT

Examiner

Greg Bengzon

Art Unit

2144

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This application has been examined. Claims 1-9 are pending. Claims 1-9 have been amended.

#### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in France on April 4, 2000.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

The effective date for the subject matter defined in the pending claims in this application is April 4, 2000.

#### ***Claim Objections***

Claims 1-9 are objected to because of the following informalities: Claims 1-9 refer to a complete scene description, the scope of which is not adequately described in the specifications. The applicant is advised to indicate the contents and scope of a complete scene description, as compared to the scene description as described in pages 1 and 2 of the Specifications. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US Patent 6611262) in view of Nakamura et al. (US Patent 5767846) further in view of the ISO/IEC MPEG-4 Standards Document (designated as ISO/IEC 14496) authored by the Motion Picture Experts Group, hereinafter referred to as MPEG-4 Standards.

Suzuki discloses concepts and practices regarding storing complete scene descriptions in memory and multiplexing the complete scene description data with other data pertaining to related scene objects such as Audio-Visual (AV) data and Object Stream Information. Suzuki describes a method for producing three-dimensional space modeling data defined by a plurality of nodes and image/audio data specified by a position included in the nodes. (Column 8 Lines 9-15) Coded data stored in the transmission buffer is read out with a predetermined timing and output as a bit stream to a transmission line.

With respect to Claim 1 , Suzuki discloses (Currently Amended) A telecommunications network comprising : (Column 1 Lines 25-30) a transmitter terminal including a multi-media scene description coder for producing a data stream which contains data relating to a scene description, (Column 10 Lines 60-68) and a receiver terminal which may be connected at any instant to said transmitter terminal for receiving said data stream, (Figure 8 Column 12 Lines 55-65), wherein said terminal includes a storage memory for storing a plurality of instants and relating to a description of a scene, and a plurality of instants relating to a another description of the scene. (Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35, Column 17 Lines 20-25)

However, Suzuki does not disclose the following concepts and practices regarding the use of templates, temporal layout mechanisms, and multimedia editing mechanisms wherein a template (such as the complete scene description) is used as a foundation on which additional objects are added to in order to complete a multi-media object. Suzuki does not disclose of the complete scene description being used repeatedly at one or several later instants, said plurality of instants referred to a manner indicating sequence of occurrence.

Suzuki does not disclose the concept of access points in bit streams, such access points formed by coded data relating to a complete scene description, and that the output data stream contain at least various successive access points are formed by the same description of a complete scene.

Nakamura disclosed the features of the invention as described in the Claims shown below.

1. A telecommunications network comprising at least: a data stream which contains access points formed by coded data relating to a complete scene description; the stored data being intended to be used at one or several later instants to form said access points. (Nakamura - Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes a multi-media editing system wherein a multi-media document is created and edited using scene data as structurization units of the document, by an editor which edits a reproduction sequence relation of multi-media information elements. Nakamura discloses of processing successive instants of scenes, said instants referred to in a manner indicating sequence of occurrence. (Column 2 Lines 1-25) Nakamura describes a system that can continue reproduction over a plurality of scenes even when there is a switchover of scenes, in which case the scene description is replaced or renewed depending on the requirements for the next scene. (Column 5 Lines 15-30 Column 7 Lines 15-30) The stored scene description may be used repeatedly in order to perform scene reproduction processing, or alternatively replaced with another completely different scene description.

Nakamura describes scene reproduction processing performed in order from the head scene and thereafter executed for each constituent track of the scene. (Figures 2 and 3, Column 5 Lines 1-45, Column 7 Lines 15-30, Column 9 Lines 50-55)

Art Unit: 2144

Furthermore, Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

Suzuki and Nakamura are analogous art because they present concepts and practices regarding multi-media scene reproduction using scene descriptions as initial building blocks, such scene descriptions further modified by various multimedia information elements. It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, such that the system of Suzuki is able to 1) use the scene description as a structurization unit; 2) implement scene data control ; 3) repeatedly send the same complete scene description or send an entirely different scene description, depending on the required scene; and 4) refer to scene data in a manner indicating sequence of occurrence. It would have been similarly obvious to introduce the scene description and constituent information elements for the scene at various instances in timing with a timing device as described by Nakamura. The suggested motivation for doing so would have been to take advantage of the MPEG-4 compression techniques and standards for coding and decoding video data streams, such that the largest scene information component (the complete scene description) is

Art Unit: 2144

coded and transmitted for a minimal number of instances for a particular scene reproduction process or in the instance of switchover scenes, be able to detect the new scene requirements, replace the stored scene description with a new scene description, and proceed with scene reconstruction. Furthermore, as Nakamura suggests, the said combination would overcome problems in prior art which make it impossible to continuously reproduce information elements of the same contents over a plurality of continuous scenes. (Nakamura Column 2 Lines 50-55)

With respect to Claim 2, Suzuki discloses (Currently Amended) a terminal including a multi-media scene description coder for delivering a data stream relating to a complete scene description, wherein it includes a storage memory for storing a plurality of instants and relating to a description of a complete scene, and a plurality of instants relating to a another description of the scene, the stored data pluralities of instants for use at one or several later instants. (Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 17 Lines 20-25, Column 18 Lines 5-20)

Suzuki does not disclose the concept of access points in bit streams, such access points formed by coded data relating to a complete scene description, and that the output data stream contain at least various successive access points are formed by the same description of a complete scene.

Nakamura disclosed the features of the invention as described in the Claims shown below.



Art Unit: 2144

2. A data stream which includes access points formed by coded data relating to a complete scene description, the stored data being used at one or several later instants to form said access points. (Nakamura - Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes a multi-media editing system wherein a multi-media document is created and edited using scene data as structurization units of the document, by an editor which edits a reproduction sequence relation of multi-media information elements. Nakamura discloses of processing successive instants of scenes, said instants referred to in a manner indicating sequence of occurrence. (Column 2 Lines 1-25) Nakamura describes a system that can continue reproduction over a plurality of scenes even when there is a switchover of scenes, in which case the scene description is replaced or renewed depending on the requirements for the next scene. (Column 5 Lines 15-30 Column 7 Lines 15-30) The stored scene description may be used repeatedly in order to perform scene reproduction processing, or alternatively replaced with another completely different scene description.

Nakamura describes scene reproduction processing performed in order from the head scene and thereafter executed for each constituent track of the scene. (Figures 2 and 3, Column 5 Lines 1-45, Column 7 Lines 15-30, Column 9 Lines 50-55) Furthermore, Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later

Art Unit: 2144

intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, such that the system of Suzuki is able to 1) use the scene description as a structurization unit; 2) implement scene data control ; 3) repeatedly send the same complete scene description or send an entirely different scene description, depending on the required scene; and 4) refer to scene data in a manner indicating sequence of occurrence, as presented above.

With respect to Claim 3, Suzuki discloses (Currently Amended) a terminal as claimed in claim 2, wherein the data stream includes data relating to modifications to be applied to a complete scene which are introduced in the stream. (Figure 2, Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 3 Lines 10-35, Column 7 Lines 10-15, Lines 25-35)

While Suzuki mentions a predetermined timing and output sequence, Suzuki does not disclose concepts and practices regarding synchronizing the inputs to the bit stream in accordance to a synchronization clock where the complete scene description is assigned a reference point time  $t=0$ , and the other objects in the scene are introduced successively at other instances relative to  $t=0$ . Suzuki does not disclose the description of a complete scene changes in timing with a replacement clock. Suzuki does not

disclose modifications being introduced to the scene description in timing with a modification clock which presents a non-zero phase shift relative to the replacement clock.

Nakamura disclosed the features of the invention as described in the Claims shown below.

3. A terminal as claimed in claim 2, characterized in that the access points are made in the data stream in timing with a replacement clock, and in that the data stream includes data relating to modifications to be applied to a complete scene which are introduced in the stream in timing with a modification clock which presents a non-zero phase shift relative to the replacement clock. (Nakamura - Figure 10A and 10B Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes scene reproduction processing performed in order from the head scene and thereafter executed for each constituent track of the scene. (Figures 2 and 3, Column 5 Lines 1-45, Column 7 Lines 15-30, Column 9 Lines 50-55) Furthermore, Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

Suzuki and Nakamura are analogous art because they present concepts and practices regarding multi-media scene reproduction using scene descriptions as initial building blocks, such scene descriptions further modified by various multimedia information elements. It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, such that the system of Suzuki is able to introduce the scene description and constituent information elements for the scene at various instances in timing with a timing device as described by Nakamura. The suggested motivation for doing so would have been to take advantage of the MPEG-4 compression techniques and standards for coding and decoding video data streams, such that the largest scene information component (the complete scene description) is coded and transmitted for a minimal number of instances for a particular scene reproduction process or in the instance of switchover scenes, be able to detect the new scene requirements, replace the stored scene description with a new scene description, and proceed with scene reconstruction. Furthermore, as Nakamura suggests, the said combination would overcome problems in prior art which make it impossible to continuously reproduce information elements of the same contents over a plurality of continuous scenes. (Nakamura Column 2 Lines 50-55)

With respect to Claim 4, Suzuki discloses (Currently Amended) a terminal as claimed in claim 2, wherein the scene description for which coded data are stored.

(Figures 1-2, Item 302, Column 9 Lines 45-55)

While Suzuki mentions a predetermined timing and output sequence, Suzuki does not disclose concepts and practices regarding synchronizing the inputs to the bit stream in accordance to a synchronization clock where the complete scene description is assigned a reference point time  $t=0$ , and the other objects in the scene are introduced successively at other instances relative to  $t=0$ . Suzuki does not disclose the description of a complete scene changes in timing with a replacement clock. Suzuki does not disclose modifications being introduced to the scene description in timing with a modification clock which presents a non-zero phase shift relative to the replacement clock.

Nakamura disclosed the features of the invention as described in the Claims shown below.

4. A terminal as claimed in claim 2, characterized in that the complete scene description for which coded data are stored in said memory is renewed in timing with a replacement clock. (Nakamura - Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative

Art Unit: 2144

to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, as presented above.

With respect to Claim 5, Suzuki discloses (Currently Amended) a method of forming a data stream relating to a scene description, wherein it includes a step of storing a plurality of instants relating to a description of a scene, and a plurality of instants relating to another description of the scene. the stored data pluralities of instants for use at one or several later instants. (Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 17 Lines 20-25, Column 18 Lines 5-20)

Suzuki does not disclose the concept of access points in bit streams, such access points formed by coded data relating to a complete scene description, and that the output data stream contain at least various successive access points are formed by the same description of a complete scene.

Nakamura disclosed the features of the invention as described in the Claims shown below.

5. A method of forming an access point in a data stream, said access points being formed by coded data relating to a complete scene description, the stored data being

Art Unit: 2144

intended to be used at one or several later instants to form said access points.

(Nakamura - Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes a multi-media editing system wherein a multi-media document is created and edited using scene data as structurization units of the document, by an editor which edits a reproduction sequence relation of multi-media information elements. Nakamura discloses of processing successive instants of scenes, said instants referred to in a manner indicating sequence of occurrence. (Column 2 Lines 1-25) Nakamura describes a system that can continue reproduction over a plurality of scenes even when there is a switchover of scenes, in which case the scene description is replaced or renewed depending on the requirements for the next scene. (Column 5 Lines 15-30 Column 7 Lines 15-30) The stored scene description may be used repeatedly in order to perform scene reproduction processing, or alternatively replaced with another completely different scene description.

Nakamura describes scene reproduction processing performed in order from the head scene and thereafter executed for each constituent track of the scene. (Figures 2 and 3, Column 5 Lines 1-45, Column 7 Lines 15-30, Column 9 Lines 50-55) Furthermore, Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, such that the system of Suzuki is able to 1) use the scene description as a structurization unit; 2) implement scene data control ; 3) repeatedly send the same complete scene description or send an entirely different scene description, depending on the required scene; and 4) refer to scene data in a manner indicating sequence of occurrence, as presented above.

With respect to Claim 6, Suzuki discloses (Currently Amended) A method as claimed in claim 5 of forming a data stream, and in that the data stream contains data relating to modifications to be made in a scene. (Figure 2, Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 3 Lines 10-35, Column 7 Lines 10-15, Lines 25-35)

While Suzuki mentions a predetermined timing and output sequence, Suzuki does not disclose concepts and practices regarding synchronizing the inputs to the bit stream in accordance to a synchronization clock where the complete scene description is assigned a reference point time  $t=0$ , and the other objects in the scene are introduced successively at other instances relative to  $t=0$ . Suzuki does not disclose the description of a complete scene changes in timing with a replacement clock. Suzuki does not disclose modifications being introduced to the scene description in timing with a



Art Unit: 2144

modification clock which presents a non-zero phase shift relative to the replacement clock.

Nakamura disclosed the features of the invention as described in the Claims shown below.

6. A method as claimed in claim 5 of forming an access point in a data stream, characterized in that the access points are made in the data stream in timing with a replacement clock, and in that the data stream contains data relating to modifications to be made in a complete scene, which are made in the stream in timing with a modification clock which presents a non-zero phase shift relative to the replacement clock. (Nakamura - Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, as presented above.

With respect to Claim 7, Suzuki discloses (Currently Amended) a method as claimed in claim 6 of forming a data stream, wherein the scene description for which data are stored is renewed. (Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 17 Lines 20-25, Column 18 Lines 5-20)

While Suzuki mentions a predetermined timing and output sequence, Suzuki does not disclose concepts and practices regarding synchronizing the inputs to the bit stream in accordance to a synchronization clock where the complete scene description is assigned a reference point time  $t=0$ , and the other objects in the scene are introduced successively at other instances relative to  $t=0$ . Suzuki does not disclose the description of a complete scene changes in timing with a replacement clock. Suzuki does not disclose modifications being introduced to the scene description in timing with a modification clock which presents a non-zero phase shift relative to the replacement clock.

Nakamura disclosed the features of the invention as described in the Claims shown below.

7. A method as claimed in claim 6 of forming an access point in a data stream, characterized in that the complete scene description for which data are stored is renewed in timing with a replacement clock. (Nakamura - Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, as presented above.

With respect to Claim 8, Suzuki discloses (Currently Amended) a signal conveying a data stream formed by a plurality of instants relating to a description of a scene, wherein at least various successive data streams are formed using the plurality of instants by the same description of the scene. (Figure 7 Column 12 Lines 25-55)

Suzuki does not disclose a signal as claimed in claim 8, characterized in that the description of a complete scene changes.

Nakamura disclosed the features of the invention as described in the Claims shown below.

8. A signal conveying a data stream which includes access points formed by coded data relating to a description of a complete scene, characterized in that at least various

Art Unit: 2144

successive access points are formed by the same description of a complete scene.

(Nakamura - Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes a multi-media editing system wherein a multi-media document is created and edited using scene data as structurization units of the document, by an editor which edits a reproduction sequence relation of multi-media information elements. Nakamura discloses of processing successive instants of scenes, said instants referred to in a manner indicating sequence of occurrence. (Column 2 Lines 1-25) Nakamura describes a system that can continue reproduction over a plurality of scenes even when there is a switchover of scenes, in which case the scene description is replaced or renewed depending on the requirements for the next scene. (Column 5 Lines 15-30 Column 7 Lines 15-30) The stored scene description may be used repeatedly in order to perform scene reproduction processing, or alternatively replaced with another completely different scene description.

Nakamura describes scene reproduction processing performed in order from the head scene and thereafter executed for each constituent track of the scene. (Figures 2 and 3, Column 5 Lines 1-45, Column 7 Lines 15-30, Column 9 Lines 50-55) Furthermore, Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, such that the system of Suzuki is able to 1) use the scene description as a structurization unit; 2) implement scene data control ; 3) repeatedly send the same complete scene description or send an entirely different scene description, depending on the required scene; and 4) refer to scene data in a manner indicating sequence of occurrence, as presented above.

With respect to Claim 9, Suzuki discloses (Currently Amended) a signal conveying a data stream formed by a plurality of instants relating to a description of a scene, wherein at least various successive data streams are formed . (Figure 7 Column 12 Lines 25-55)

While Suzuki mentions a predetermined timing and output sequence, Suzuki does not disclose concepts and practices regarding synchronizing the inputs to the bit stream in accordance to a synchronization clock where the complete scene description is assigned a reference point time  $t=0$ , and the other objects in the scene are introduced successively at other instances relative to  $t=0$ . Suzuki does not disclose the description of a complete scene changes in timing with a replacement clock. Suzuki does not disclose modifications being introduced to the scene description in timing with a modification clock which presents a non-zero phase shift relative to the replacement clock.

Nakamura disclosed the features of the invention as described in the Claims shown below.

9. A signal as claimed in claim 8, characterized in that the description of a complete scene, which is contained in the access points, changes in timing with a replacement clock. (Nakamura - Column 2 Lines 1-25 Column 5 Lines 15-30 Column 7 Lines 15-30)

Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the method and system of generating bit streams by Suzuki, as presented above.

Therefore it would have been obvious to combine Nakamura with Suzuki for the benefit of efficient and synchronized scene reproduction processing.

However, the combined teachings of Suzuki and Nakamura, when applied together, do not disclose any concepts and practices regarding access point in bit streams, such access points formed by coded data relating to a complete scene description, and that the output data stream contain at least various successive access points formed by the same description of a complete scene.

The MPEG-4 Standards describe how to associate a set of streams with one another in order to describe a multimedia presentation composed of a large set of such streams. The presentation of these streams in a coordinated manner is basically governed by the scene description. Therefore, a clearly defined notion of time must be established between the scene description and all the media streams. Then, a mechanism is needed to convey such timing information. The MPEG-4 Standards describe access points as discrete portions of data containing scene descriptions related to a specific point in time. Access units are the data elements to which time stamps can be attached and are found in various instances in the data stream. (Section MPEG-4-1, Clause 10 Synchronization Layer).

Suzuki, Nakamura and the MPEG-4 Standards are analogous art because they present concepts and practices regarding data streams containing scene descriptions for multimedia information. It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of associating large sets multi-media data streams using the

Art Unit: 2144

scene descriptions in access units as described by the MPEG-4 Standards into the combined teachings of Suzuki and Nakamura, such that each complete scene description in the bit stream can be considered an access point for a particular set of data streams. The suggested motivation for doing so would have been to facilitate identification of the start of the scene reproduction process within a large data stream, and synchronize a data stream for a scene with another data stream for a different scene or another data stream of different type of media, or another data stream with a different bit stream rate, for editing or presentation purposes.

Therefore, it would have been obvious to combine the concepts of access units found in the MPEG-4 Standards with the combined teachings of Nakamura and Suzuki for the benefit of synchronization of large sets of data streams to obtain the invention as specified in Claims 1-9.

### ***Response to Arguments***

Applicant's arguments filed January 24, 2005 have been fully considered but they are not persuasive. The reasons for non-persuasiveness are set forth below.

The Examiner acknowledges replacement drawings and withdraws prior objection regarding said drawings for Figures 1 and 2.



With respect to Claim 1, the Applicant suggests that Suzuki teaches image/data corresponding to a single position and not a first plurality of instants relating to a first description of a scene, and a second plurality of instants relating to a second description of the scene, the stored pluralities of instants for use at one or several later instants to form said access points. Accordingly, the device of Suzuki fails to teach or suggest "a storage memory for storing a first plurality of instants relating to a first description of a scene, and a second plurality of instants relating to a second description of the scene, the stored pluralities of instants for use at one or several later instants to form said access points.

The Applicant respectfully submits that Suzuki or Nakamura et al. alone or in combination, fails to teach, show or imply at least the limitation of a storage memory for storing a first plurality of instants relating to a first description of a scene, and a second plurality of instants relating to a second description of the scene, the stored pluralities of instants for use at one or several later instants to form said access points.

The Examiner respectfully disagrees with the Applicant's arguments.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., first plurality of instants, second plurality of instants) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

Art Unit: 2144

USPQ2d 1057 (Fed. Cir. 1993). The Examiner refers the Applicant to Suzuki Figure 19, showing Items 302, 305 and 306, said items being described as storage devices in Suzuki Column 10 Lines 35-65.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Art Unit: 2144

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571)272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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